



## DoD INDIAN LANDS PROGRAM

# WHAT IS NALEMP?

Fiscal Year 2000

The Department of Defense (DoD) created the Native American Lands Environmental Mitigation Program (NALEMP, or Indian Lands Program) to address environmental impacts on Indian lands and Alaska Native Claims Settlement Act (ANCSA) conveyed properties from former DoD activities. Activities such as weapons testing, practice bombing, and field maneuvers — although critical to DoD's mission to defend and protect the nation — may have had effects on tribal environmental health, safety, economies, and cultural ways of life. DoD has an on-going commitment to address these impacts. Through NALEMP, DoD will work closely with tribes to mitigate environmental impacts with the maximum tribal participation possible.

### Why Was NALEMP Created?

Until NALEMP, DoD did not have a program specifically aimed at addressing subsistence, economic, cultural, health, and safety needs of Native Americans in combination with assessing issues specific to environmental impacts on Indian lands. Certain DoD impacts, such as abandoned buildings, and strictly cultural impacts are typically a lower priority or are ineligible for assistance under existing cleanup programs. Most environmental programs use standard site evaluation and assessment processes, which are not specifically tailored to the Native American way of life — in particular, the subsistence usage and cultural significance of their land. Since 1993, because of Congress' concern that tribal impacts were not being adequately addressed, Congress directed \$8 million to DoD to create NALEMP.

### What Types of Impacts Does NALEMP Address?

NALEMP addresses potential environmental impacts uniquely affecting Indian lands from former DoD military activities. These impacts include ground and soil contamination and remnants of former activities such as

### Examples Of Eligible Projects Currently Underway

- ➔ In Evansville, Alaska, the tribe is removing and disposing approximately eight hundred 55-gallon drums in the Village area.
- ➔ In Northway Village, Alaska, the tribe is mapping the location and depth of buried debris from a World War II facility. The tribe is using the results of the debris mapping for their future development plans.
- ➔ The Metlakatla Indian Community (MIC) in Alaska is facilitating coordination between the federal agencies and identifying alternate funding sources for mitigation efforts. MIC is also removing asbestos-containing materials from DoD buildings transferred to the Tribe.



*In Annette Island, Alaska, Metlakatla Indian Community members sift soil for an U.S. Army Corps of Engineers rhizoremediation pilot project. This pilot remediation project was initiated using NALEMP funding.*

unexploded ordnance, ordnance debris, abandoned structures, and targeting debris. DoD, in consultation with the tribes, recognizes that these impacts may have had effects on tribal environmental health and safety, as well as tribal economic, social, and cultural welfare.

## Who is Eligible for NALEMP Funding?

Because NALEMP's emphasis is to address environmental impacts on Indian lands that are not currently addressed by other programs, eligibility criteria have been established based on tribal concerns. The following parameters must be met for a site to be considered for funding:

- ➔ Federally recognized tribe or consortia of Federally recognized tribes;
- ➔ The environmental impact is on lands:
  - held in trust (or protected against alienation) by the Federal government for a Federally recognized tribe or tribal member; or
  - on lands conveyed by ANCSA and owned by an ANCSA regional or village corporation;
- ➔ Documented evidence of environmental impacts resulting from *past* DoD *military* activities;
- ➔ Ineligible for current DoD or other federal agency environmental programs.



*GPS field technician Dorothy Tobacco (left) and Director Emma Featherman-Sam (center standing) of the Oglala Sioux Badlands Bombing Range Project and Army Corps of Engineers personnel (right) inspect ordnance debris found in the range.*

## What Isn't Eligible for NALEMP Funding?

DoD wants to ensure that NALEMP's limited resources address subsistence, cultural, health and safety needs of Native Americans and associated environmental impacts on Indian lands. For this reason, NALEMP does not address environmental impacts already being addressed by other DoD environmental programs, such as impacts associated with active installations, closing bases, and Army Corps of Engineers civil works projects. Although all individuals are encouraged to report environmental impacts, DoD is committed to working with tribes on a government-to-government basis. Therefore, all communications and activities will be conducted through the federally recognized tribal governments.

## How Do You Report a Potential Environmental Impact in NALEMP?

Affected tribes can report potential impacts through the following means:

- ➔ Contacting the local or regional Army Corps of Engineers Formally Used Defense Sites (FUDS) Office (see accompanying list)
- ➔ Contacting the Native American Lands Environmental Mitigation Program Manager, John Stacy, at 703-604-1747 or at [stacyj@acq.osd.mil](mailto:stacyj@acq.osd.mil), or
- ➔ Directly reporting the potential impact to the Native American Environmental Tracking System (NAETS), at: <http://www.denix.osd.mil/denix/Public/native/native.html>.

To assist in identifying environmental impacts, the affected tribe should be prepared to provide the following information:

- ➔ Tribe/Village name,
- ➔ Location of affected area — a legal description or latitude and longitude coordinates, if available,
- ➔ Approximate size of affected area,
- ➔ Description of damages/impacts,
- ➔ Evidence of military involvement, such as:
  - markings noted on drums, cans and equipment,
  - oral histories/anecdotal information describing the military operation or installation.

## How Do You Find Out if Your Tribe Has Reported an Impact to DoD?

NALEMP utilizes NAETS to record reported impacts on tribal lands. NAETS is a user-friendly, internet-accessible database system that tracks all known environmental concerns, site information, assessments, and potential cleanup efforts on Indian lands. NAETS is located at <http://www.denix.osd.mil/denix/Public/native/native.html>.

NAETS was created to help manage mitigation efforts and share information between DoD and tribes. NAETS summarizes information related to discovery, eligibility, site assessment, funding decisions, mitigation, and resolution for claims of the DoD environmental impacts to Native American Lands. All data that is presented in NAETS undergoes review by the tribes and DoD before being released.

## How Are Sites Selected for Funding?

After DoD receives information on the potential impact, DoD will review its records to determine the appropriate program to address the potential environmental impact. If the site is eligible as a potential NALEMP project, DoD will work in cooperation with the tribe to investigate the environmental impact.

When the limited funding provided by Congress is available, DoD will make funding decisions based on the information available in NAETS. DoD understands that factors other than risk to human health and the environment need to be considered at cleanup sites, including sites on Indian lands. Examples of those additional considerations include impacts to traditional practices, subsistence lifestyles and economic viability. These factors do not influence the site's risk assessment, but may influence the sites' priority for funding. Each of these factors will be considered relative to a specific impact eligible for the Indian Lands Program.

If the particular project is selected for funding, DoD will work on a government-to-government basis with the tribe to determine the appropriate course of action to address the impact. If DoD determines that the site is ineligible for



*DoD contractor investigates reports of building demolition debris left by past military activities at St. Michael Village, Alaska.*

funding under NALEMP, DoD will assist the tribe in obtaining other resources that may be appropriate to address the reported impact, including funding through other DoD or federal agency environmental programs.

## Where Can I Get More Information?

For more information on NALEMP, please contact John Stacy, ODUSD(ES) Native American Lands Program Manager 703-604-1747 or at [stacyj@acq.osd.mil](mailto:stacyj@acq.osd.mil) or contact Kimberly Dailey at the Formerly Used Defense Sites (FUDS) Headquarters Office 202-761-5145.



## FUDS District Points of Contact

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